vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3642 OF 1986

Bank of India ... Plaintiff

V/s.

Prakash Yeshwant Jadhav & Ors. ... Defendants

Mr.Parineet Saratkar i/b Shukla & Shukla for Plaintiff
None for Defendant

CORAM: **SMT.NISHITA MHATRE, J.**
DATED: **MARCH 21, 2006**

P.C.:

. The Plaintiff is a nationalised bank which has loaned an amount of Rs.141,750/- to the Defendants for purchase of a truck. Defendant Nos.2 and 3 are the guarantors. The amount has remained outstanding which is reflected from the demand notice of the Plaintiff dated 15.10.1986. There is no reply to this notice.

2. Affidavit of Shri R.R.Chaubal, the Manager of the Plaintiff Bank is taken on record. He has averred that the amount has remained outstanding till today. All original documents which the plaintiff relies on alongwith the list are also taken on record and marked Exhibit A collectively for identification. These documents have substantiated the case of the Plaintiff. In the written statement filed by the defendant, there is a plea that Defendant No.1 is ready and willing to repay the plaintiff's loan in reasonable instalments. However, no such payment has been made.

3. In these circumstances, decree in terms of

prayer clauses (a), (b), (c) and (d).